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U.S. DISTRICT COURT  
MASSACHUSETTS

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U.S. DISTRICT COURT  
MASSACHUSETTS  
June 3, 2005  
106259-1

**Erik P. Bartenhagen**  
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Gina Edge, Docket Clerk  
United States District Court  
District of Massachusetts  
John Joseph Moakley U.S. Courthouse  
One Courthouse Way  
Boston, MA 02210

Re: *BES Enterprises, Inc. v. Rony Natanzon, et al.*  
U.S. Dist. Ct., D. Mass., C.A. No. 05-10477-GAO

Dear Ms. Edge:

I am writing to follow up on Mr. LeClair's May 31, 2005 letter concerning the pending Motion to Dismiss and plaintiffs' discovery.

Mr. LeClair has courteously granted the defendants an extension to respond to plaintiffs' discovery, to Tuesday, July 5, 2005. In so doing, however, Mr. LeClair expressed the reasonable concern that this extension not prejudice his ability to have the Court consider supplemental memoranda based on defendants' responses to his client's discovery prior to rendering a decision on defendant's Motion to Dismiss, currently pending before the Court.

Therefore, on behalf of both parties, I write to request that no action on defendants' Motion to Dismiss be taken until after defendants' discovery responses are served and the parties have the opportunity to file supplemental memoranda based on such discovery, if they so choose.

Thank you.

Sincerely,

Erik P. Bartenhagen

EB:baw

cc: Brian W. LeClair, Esq.  
Robert B. Levin, Esq.